

PROB 12A
(12/98)

United States District Court

for

Southern District of Ohio

Report on Offender Under Supervision

2007 AUG -7 AM 8:02

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST END BUILDING

Name of Offender: **Cathy A Montesi**

Case Number: **1:02CR00078**

Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith
Chief United States District Judge**

Date of Original Sentence: **March 28, 2003**

Original Offense: **Count 1: Conspiracy, Count 17: Embezzlement, Count 151: Mail Fraud, Count 158:
Wire Fraud, Count 174: Bank Fraud; Count 175: False Statement**

Original Sentence: **Twelve months and one day imprisonment on each of Counts 1, 17, 151, 158, 174
and 175, concurrent, 36 month(s) supervised release on each Count**

Type of Supervision: **Term Of Supv Rel**

Date Supervision Commenced: **August 13, 2004**

Status Report and Request to Terminate TSR

The offender has complied with the following condition(s) of supervision:

Status of Prior Noncompliance

#1

Ms. Montesi had previously violated the terms of her supervision by obtaining new lines of credit without permission. Upon discovery of this violation, the Court was apprized and it was requested that the offender be ordered to complete 100 hours of community service as a sanction.

The Court imposed 100 hours of community service and the offender was directed to close all new lines of credit.

She was referred to the First United Church of Christ with Pastor Dan Weyond-Geise. She was required to assist in their project of assisting their homeless families and clothing drives. At this time, the offender has completed the community service hours as ordered. The agency verified her hours and reported her to be an excellent worker, with a good attitude and willingness to work.

The offender continues to pay her monthly restitution installments with a balance of \$748,088.76. Additionally, she has entered into the consent agreement with the Financial Litigation Unit, and is aware that collections of outstanding restitution will continue, pursuant to Title 18, U.S.C., Sections 3612 and 3613.

The offender's term of supervision is scheduled to expire on August 12, 2007. A recent record check revealed no new law violations.

U.S. Probation Officer Action: In light of her compliance with the imposed sanctions, it is recommended that the Court allow her case to terminate at its normal expiration date, with a restitution balance owing. As previously indicated, Ms. Montesi fully understands that she is to continue paying her monthly restitution installments of \$50 per month to the Financial Litigation Unit, as outlined in the agreement she signed.

The offender also surrendered her passport following her plea in this matter. At this time, she is requesting that same be released. This officer has inquired about the status of her passport, and ascertained it was forwarded to the U.S. Department of State-Passport Services, Office of Legal Affairs and Law Enforcement. In order to have the passport released, the Court would need to direct the clerk's office to contact the Department of State for release of the offender's passport.

Respectfully submitted,

Approved,

by


Michelle Merrett

U. S. Probation Officer

Date: August 2, 2007


John Cole

Supervising U. S. Probation Officer

Date: August 2, 2007

-
- ☒ I concur with the recommendation of the Probation Officer
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons


Signature of Judicial Officer

8/6/07
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

: CASE NO: 1:02CR-78-02

: JUDGE The Honorable Sandra S. Beckwith

Cathy A Montesi ,

Defendant.

NOTICE OF CONSENT AGREEMENT

On March 28, 2003 , the Court entered a Judgment against Defendant, Cathy A Montesi , imposing restitution in the amount of \$750,283.76. As of February 21, 2007 , there remains a balance due of \$ 748,388.76 , not inclusive of interest, if applicable.

The United States of America and Cathy A Montesi , hereby stipulate and agree to enter into a payment schedule to satisfy the balance of \$ 748,388.76 , plus statutory annual interest of 1.25 % , which accrues daily , pursuant to 18 U.S.C. §3612(f) pursuant to the following terms:

1. The Defendant, Cathy A Montesi , shall pay the sum of no less than \$ 50.00 per month, on or before the first day of each month, beginning the first day of the month following expiration of supervision and continuing each and every month thereafter until the entire obligation is paid in full, including any accrued interest.

2. The Defendant, Cathy A Montesi, shall send the monthly payments by cashier's check or money order, made payable to the *Clerk, United States District Court*, and mailed to:

United States Clerk of Courts
324 Potter Stewart U. S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202

NOTE: The case number and defendant's name must be printed on the check.

3. The Defendant, Cathy A Montesi, agrees and understands that he must submit an updated Financial Statement to the United States for annual review upon demand. Upon review of the Financial Statement, the monthly amount may be increased or decreased accordingly or a lump sum payment may be demanded if it is determined that the defendant has the assets to pay all or a substantial portion of the monetary obligation.

4. The Defendant, Cathy A Montesi, understands that besides the regular monthly payment, the United States may submit the debt to the Department of Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payments Defendant would normally receive may be offset and applied to this debt.

5. The Defendant, Cathy A Montesi, agrees and understands that if any payment is not timely made on or before the date when due, or if Defendant fails to submit financial documentation or agree to an increase in monthly payments as described in paragraph 3 above, then the entire unpaid balance then remaining shall become immediately due and payable without demand or notice of any kind, and the United States of America may take action as it has a legal right to do to collect all of the money due it by execution, levy, garnishment, offset or otherwise.

6. The Defendant, Cathy A Montesi, shall be obligated to notify the United States Attorney's Office, Southern District of Ohio, in writing of any material change in his financial situation or ability to pay, and of any change in his employment or place of residence. Unless otherwise notified by the United States, all such information shall be sent to the Financial Litigation Unit, United States Attorney's Office, 303 Marconi Boulevard, Suite 200, Columbus, Ohio 43215-2401.

7. The Defendant, Cathy A Montesi, understands that the United States has filed or will file a lien against all real and personal property in which Plaintiff has (or will have) a substantial interest and that the filing of such lien (or assertion of such lien in the event any such property is sold, transferred, refinanced or used as collateral) shall not constitute a violation of the terms of this agreement.

8. The parties agree that upon the complete satisfaction of the judgment entered herein, the United States will file a satisfaction of judgment upon the records of this Court and upon the records of any other Court in which it may be recorded and will remove the lien of said judgment wherever recorded.

The parties consent to the terms of the above-specified agreement

Cathy A. Montesi
Defendant
Cathy A. Montesi
9440 Mapletop Lane
Loveland, Ohio 45140

2/21/07
Date

Michelle Menett
Probation officer, USPO

2/21/07
Date

GREGORY G. LOCKHART
UNITED STATES ATTORNEY

Deborah F. Sanders
Assistant United States Attorney

2/28/07
Date